

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Katharine S. Hayden

v. : Crim. No. 10-302 (KSH)

INOCENCIO LAINEZ LEIVA : CONTINUANCE ORDER

This matter having come before the Court on the joint application of Paul J. Fishman, United States Attorney for the District of New Jersey (by Lakshmi Srinivasan Herman, Assistant U.S. Attorney), and defendant Inocencio Lainez Leiva (by John Yauch, AFPD) for an order granting a continuance of the proceedings in the above-captioned matter from May 18, 2010 to August 2, 2010 to allow the parties to conduct plea negotiations and attempt to finalize a plea agreement, and the defendant being aware that he has the right to have the matter brought to trial within 70 days of the date of his appearance before a judicial officer of this court pursuant to Title 18 of the United States Code, Section 3161(c)(1), and as the defendant has consented to such a continuance, and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

1. Plea negotiations are currently in progress, and both the United States and the defendant desire additional time to negotiate a plea agreement, which would render trial of this matter unnecessary;

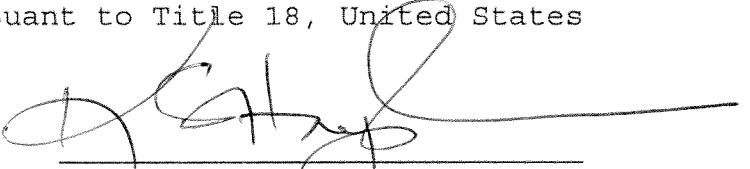
2. The grant of a continuance will likely conserve judicial resources;

3. Pursuant to Title 18 of the United States Code, Section 3161(h)(7), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial.

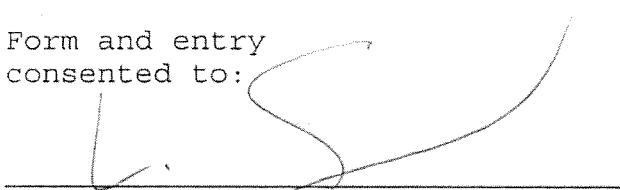
WHEREFORE, on this 18 day of May 2010,

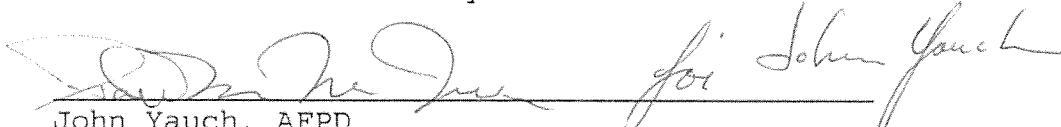
ORDERED that pretrial motions be filed on or before July 9, 2010; oppositions are due on or before July 16, 2010; the argument of motions is scheduled for July 23, 2010, or a date to be set by the Court; and the trial is scheduled for August 2, 2010, or a date to be set by the Court;

ORDERED that the period from May 18, 2010, through August 2, 2010, shall be excludable in computing time under the Speedy Trial Act of 1974, pursuant to Title 18, United States Code, Section 3161(h)(7).


Hon. Katharine S. Hayden
United States District Judge

Form and entry
consented to:


Lakshmi Srinivasan Herman
Assistant U.S. Attorney


John Yauch, AFPD
Counsel for defendant Inocencio Lainez Leiva